

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41941 of 2024

Arising Out of PS. Case No.-607 Year-2023 Thana- BIRAUL District- Darbhanga

Punita Devi S/o Umesh Yadav R/o vill - Pipra, P.S - Bahera, Distt. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-07-2024

Heard the parties.

2. The petitioner is an accused in connection with Biraul P.S. Case No. 607/2023 for the offence registered under sections 304(B) and 34 of the Indian Penal Code lodged on 19.12.2023 by the informant Indu Devi

3. As per the prosecution story, the informant's daughter was married to Satish Yadav but was always tortured for dowry and on 06.12.2023 allegation is that she was strangled to death. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that she is the sister-in-law of the deceased, living separately, having no role to play in the alleged act, with the help of paragraph-9 submits that the husband is in judicial custody and undertakes to diligently appear in trial.



5. Learned APP for the State, on the other hand, opposes the prayer for bail submitting that her name has also come in the F.I.R.

6. Though the name is there, the petitioner is a lady, is in custody since 03.04.2024 (paragraph-7 to the petition), the husband is in jail, ultimately will be facing the trial, this Court is inclined to extend her privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned A.C.J.M., Biraul, Darbhanga in connection with Biraul P.S. Case No. 607 of 2023, subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of her bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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